

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Cinda Barnes,)	Case No. <u>CA 3:21-3548-JFA</u>
)	(formerly Civil Action No. 2021CP4004886)
)	
Plaintiff,)	
)	
v.)	
)	NOTICE OF REMOVAL
Target Corporation, John Doe 1 and)	
John Doe 2,)	
)	
Defendants.)	

TO: THE UNITED STATES COURT:

Defendant, Target Corporation, would respectfully show the Court in support of its Notice of Removal that:

1. The Summons and Complaint in this action were filed on September 29, 2021 in the Court of Common Pleas for Richland County, South Carolina. Attached for the Court are copies of Plaintiff's Summons and Complaint. The Complaint is the first pleading served upon the Defendant in this action and service was affected on October 4, 2021. Therefore, removal is timely under 28 U.S.C. §1446(b).

2. The United States District Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. The Plaintiff is a resident and citizen of the State of South Carolina; Defendant Target Corporation is organized and incorporated in the State of Minnesota and has its principal place of business in the State of Minnesota. The action has been brought by the Plaintiff against the Defendant for the alleged accident which occurred in Richland County, South Carolina.

3. Venue is proper in this matter in the Columbia Division of this Court in accordance with 28 U.S.C. §1441(a).

4. Upon information and belief, the amount in controversy in this matter exceeds \$75,000.00 as Plaintiff alleges that while in the parking lot at Defendant's store, she tripped and fell on spilled liquid in the store aisle and sustained serious personal injuries, requiring her to expend monies for hospitalizations, surgery, doctor's care and other medical necessities; having suffered much pain and suffering, permanent impairment of health and bodily efficiency; has suffered and will continue to suffer great pain and mental anguish, loss of enjoyment of life, lost wages, and loss of income, trauma, anxiety, annoyance, whole body impairment and inconvenience. Upon information and belief, Plaintiff has demanded \$450,000 to settle this action.

5. Defendant has filed no pleadings in this action with the Court of Common Pleas for the State of South Carolina in response to this Complaint; however, Defendant's Answer to the Plaintiff's Complaint is filed herewith contemporaneously.

6. Defendant has furnished a copy of this Notice of Removal to the Clerk of Court for Lexington County.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

s/ Mark S. Barrow

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**ATTORNEYS FOR THE DEFENDANT
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Columbia, South Carolina

October 29, 2021